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**Agricultural Stabilization and Conservation
Service: History, Policy and Problems**

by

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AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE: HISTORY, POLICY AND PROBLEMS

INTRODUCTION

The federal government recognized the existence of widespread soil erosion problems as early as 1894.¹ This concern is still warranted 90 years later as estimates of erosion of the nation's cropland exceed safe levels. While the acceptable level of soil erosion is five tons per acre, non-cultivated cropland is eroding at seven tons per acre and cultivated land at 8.1 tons per acre.²

The soil erosion problem was originally placed under the control of the Department of the Interior. Since 1935, however, all major conservation efforts have been concentrated in the United States Department of Agriculture (USDA).³

The purpose of this article is three-fold. First, the history of the Agricultural Stabilization and Conservation Service (ASCS) will be detailed. Particular emphasis is placed on the Agricultural Conservation Program (ACP), the most expensive federal conservation program.⁴ Second, current programs of the ASCS and the procedures designed to implement them will be discussed. Finally, an analysis of the weaknesses of the ASCS will be presented with suggestions to correct some of the present problems.

HISTORICAL BACKGROUND

Any discussion of the background of the ASCS must necessarily begin with a look at its major program, the Agricultural Conservation Program. While the ASCS was established to administer the ACP in 1961⁵, the present day criticisms of the ASCS derive from problems that originated in the 1930's with the creation of the ACP.⁶

1. Williams, *Soil Conservation and Water Pollution Control: The Muddy Record of the United States Department of Agriculture*, 7 B.C. ENVTL. AFF. L. REV. 365 (1979).

2. J. ZINN, RESOURCE CONSERVATION—LOOKING AHEAD TO THE 1985 FARM BILL, (CONGRESSIONAL RESEARCH SERV. REP. NO. 780 ENR) 9 (October, 1984) [hereinafter cited as C.R.S. REP. NO. 780 ENR].

3. Williams, *supra* note 1, at 373-74. See R. DALLAVELLE & L. MAYER, SOIL CONSERVATION IN THE UNITED STATES: THE FEDERAL ROLE (CONGRESSIONAL RESEARCH SERV. REP. NO. 144 S) (September 1980) [hereinafter cited as C.R.S. REP. NO. 144 S].

4. Williams, *supra* note 1, at 403. The appropriation for the ACP cost-share program has decreased since 1969. The \$442+ million appropriation in 1969 decreased to \$243+ million in 1975 (-9.5%) and to \$152+ million in 1981 (-8.6% overall); U.S. DEP'T OF AGRIC., SOIL WATER AND RELATED RESOURCES IN THE UNITED STATES: ANALYSIS OF RESOURCES IN THE UNITED STATES: ANALYSIS OF RESOURCE TRENDS, 1980 APPRAISAL PART II, 265, 267 (August 1981) [hereinafter cited as 1980 APPRAISAL PART II].

5. *Agriculture Rural Development and Related Agencies Appropriations, FY 1979: Hearings Before a Subcomm. of the Senate Comm. on Appropriations*, 95th Cong., 2d Sess. 517 (1978) [hereinafter cited as *Senate Hearings on Agricultural Appropriations FY 1979*]; H.R. REP. NO. 1290, 95th Cong., 2d Sess. 59 (1978).

6. The Agricultural Conservation Program (ACP) has been administered by several agencies prior to administration by the ASCS. The Agricultural Adjustment Administration had responsibility for ACP from its inception until 1945. The newly created Production and Marketing Administration took over in 1945 but quickly became embroiled in a dispute with the Soil Conservation Service

The ACP was created in the Agricultural Adjustment Act of 1933⁷ as a means of making direct payments to farmers in return for their participation in production oriented acreage control programs.⁸ These direct payments to farmers were invalidated by the Supreme Court in 1936.⁹ Congress then instituted another disguised production program with the Soil Conservation and Domestic Allotment Act of 1936¹⁰ which paid only lip service to conservation. The primary purpose of this act was to increase farm income rather than institute any meaningful conservation measures.¹¹

Not until the mid-1940's did the ACP begin to emphasize long range and permanent conservation measures.¹² This emphasis on long range measures continued throughout the 1950's and 1960's. In 1961 the ASCS began administering the ACP and additional conservation measures were added.¹³

Attempts to shift the focus toward conservation by dropping production oriented conservation practices has met with resistance. During the 1950's the USDA attempted to delete short-term and production oriented practices.¹⁴ The attempt was made again in the 1970's.¹⁵ In both instances, Congress refused to shorten the list of approved practices.¹⁶

Not until the 1980 appropriations bill was there a successful attempt to drop production oriented practices.¹⁷ Current regulations provide that cost-sharing conservation programs will not be used for production oriented practices that provide little conservation benefit.¹⁸

CURRENT PROGRAMS ADMINISTERED BY ASCS

The ASCS currently administers six cost-sharing or load conservation programs: the Agricultural Conservation Program, the Water Bank Program, an experimental Acreage Conservation Reserve Program, the Experimental Rural Clean Water Program, the Forestry Incentive Program and the Emergency Conservation Program.¹⁹ The first three programs will be given the most consideration. The Experimental Rural Clean Water Program, the For-

(SCS). SCS regained technical aspects and Production and Marketing retained authority to carry out production purposes. Williams, *supra* note 1, at 397-98.

7. Pub. L. No. 73-10, 48 Stat. 31 (1933).

8. K. MEYERS, D. PEDERSON, N. THORSON & J. DAVIDSON, JR., *AGRICULTURAL LAW, CASES AND MATERIALS* 777 (1985) [hereinafter cited as *AGRICULTURAL LAW*].

9. *United States v. Butler*, 297 U.S. 1 (1936). The Court would not allow indirect means to accomplish compliance by farmers. *Id.* at 74.

10. Pub. L. No. 74-461, 49 Stat. 1148 (1936) (current version at 16 U.S.C. §§ 590g-590o, 590p(a) and 590q (1979)).

11. Williams, *supra* note 1, at 396-97.

12. Williams, *supra* note 1, at 399.

13. *AGRICULTURAL LAW, supra* note 8, at 777. Wildlife conservation practices that had soil or water benefits were added as well as beautification measures. Williams, *supra* note 1, at 400-01.

14. C.R.S. REP. NO. 144 S, *supra* note 3, at 13.

15. *Id.*; Williams, *supra* note 1, at 402.

16. Williams, *supra* note 1, at 400, 402; Pub. L. No. 86-80, 73 Stat. 171 (1959); Pub. L. No. 86-532, 74 Stat. 236 (1960); Pub. L. No. 87-112, 75 Stat. 234 (1961); *See* Pub. L. No. 94-122, 89 Stat. 661 (1975); Pub. L. No. 94-351, 90 Stat. 852 (1976).

17. C.R.S. REP. NO. 144 S, *supra* note 3, at 13.

18. 7 C.F.R. § 701.9 (1985).

19. 1980 APPRAISAL PART II, *supra* note 4, at 260.

estry Incentive Program and the Emergency Conservation Program will be briefly discussed. Among the approved conservation practices eligible for these programs are: installation of contour or strip-cropping systems or terraces; planting of trees and shrubs; improvement of timber stand for control of wind and water erosion; improvement of permanent vegetative cover; installation of pipelines and storage facilities to provide erosion control on range and pastureland; and development of springs and wells to provide a source of water for livestock or irrigation of crops.²⁰

Agricultural Conservation Program

The Agricultural Conservation Program is the most expensive federal conservation program.²¹ The avowed objective of the ACP is "to assure the continued supply of food and fiber necessary for the maintenance of a strong and healthy people and economy and to provide for environmental conservation or enhancement."²²

The program meets its objectives by having the government share the cost of approved conservation practices with the farmer or landowner.²³ The conservation practice may be either annual, or long-term—three to ten years.²⁴ If the agreement is annual, the maximum cost to the government is set at seventy-five per cent of the total cost of the conservation practice being instituted.²⁵ If the conservation measure is long-term, the government will pay a minimum of fifty per cent of the cost with the maximum government expense at seventy-five per cent of the total cost of the conservation measure.²⁶ If there is a necessary conservation practice for a low income farmer the government's share, however, may be increased to eighty per cent of the total cost.²⁷ Regardless of the government's percentile share of the total cost, the maximum available to an individual is \$3500 per year unless individual farmers or ranchers pool together to solve a mutual conservation, pollution or environmental problem. In that situation the limit is raised to \$10,000 per year.²⁸

Water Bank Program

The Water Bank Program is a direct payment program to persons who agree to set aside land in important migratory waterfowl nesting and breeding areas.²⁹ The objective of the program is to preserve, restore and improve wet-

20. C.S.R. REP. NO. 144 S, *supra* note 3, at 19.

21. Williams, *supra* note 1, at 403.

22. 7 C.F.R. § 701.3 (1985).

23. 7 C.F.R. §§ 701.16 (1985). The references in this paper are to landowners but the practices may be instituted on leased land as well.

24. 7 C.F.R. § 701.16 (1985).

25. 7 C.F.R. § 701.13 (1985).

26. *Id.* Farms and ranches within the Great Plains Conservation Program are eligible only for long-term agreements.

27. 7 C.F.R. § 701.19(a) (1985).

28. 7 C.F.R. § 701.23 and § 701.18 (1985).

29. 7 C.F.R. § 752.1(a)-(b) (1985).

lands.³⁰ This long-term agreement between the government and the landowner lasts for ten years.³¹ The amount to be paid for the set-aside is determined by the ASC county and state committees and then approved by the Deputy Administrator.³² If the participating party takes action during the ten year period which defeats the purpose of the program, all or any part of the annual payment may be withheld or required to be refunded.³³

Agricultural Conservation Reserve Program

The third major ASCS program, the Agricultural Conservation Reserve Program, is a pilot program which was initiated by the USDA in 1983.³⁴ This program is designed to place erodible land into long-term conservation cover.³⁵ The land is required to be retired for five years if grass is planted and for ten years if trees are planted.³⁶

For eligibility in the ASCS program, the participant must have been a producer in a 1984 commodity program.³⁷ Also, his land must have been eroding at more than twice the T-value.³⁸ Qualifying producers are eligible to receive ninety per cent of the cost of establishing permanent vegetative cover.³⁹

Other ASCS Programs

There are several other programs administered by the ASCS which have a lesser impact on conservation than the programs previously discussed. The Experimental Rural Clean Water Program is designed to improve impaired water use and quality.⁴⁰ The objectives are met by developing test programs to assist in reducing agricultural non-point source pollutants.⁴¹

The second of these programs is the Forestry Incentive Program. It was developed to help assure a future supply of timber.⁴² This objective is accomplished by providing cost-sharing with the federal government for good forestry practices.⁴³

The Emergency Conservation Program provides relief after natural disas-

30. *Id.*

31. 7 C.F.R. § 752.9 (1985).

32. 7 C.F.R. § 752.14 (1985).

33. 7 C.F.R. § 752.17 (1985).

34. C.R.S. REP. NO. 780 ENR, *supra* note 2, at 9; J. ZINN, RESOURCE CONSERVATION ISSUES IN THE 98TH CONGRESS—A SUMMARY (CONGRESSIONAL RESEARCH SERV. REP. NO. 781 ENR) 7 (October, 1984) [hereinafter cited as C.R.S. REP. NO. 781 ENR].

35. *Id.* The program was an experiment aimed at determining how many farmers would participate in long range conservation practices.

36. *Id.*

37. C.R.S. REP. NO. 780 ENR, *supra* note 2, at 9. This is the only cross compliance program of the ASCS.

38. *Id.* T-value is the level that has been determined to be safe without affecting long-term productivity in an adverse manner. It is presently five tons per acre.

39. *Id.* Producers enrolled 264,000 acres at a cost of \$18 million in 1984.

40. 7 C.F.R. § 700.2 (1985).

41. *Id.*

42. 7 C.F.R. § 701.27 (1985).

43. *Id.*

ters.⁴⁴ The government will pay a maximum of \$200,000 per person for any qualifying disaster.⁴⁵ The program attempts to rehabilitate land damaged by wind and water erosion, floods, hurricanes or other natural disasters.⁴⁶ It also provides water conservation or water enhancement measures during periods of severe drought.⁴⁷

PROCEDURE FOR ASCS PROGRAM PARTICIPATION

The programs discussed in the previous section are all administered in a similar manner, with emphasis on decision-making by ASC county committees which are elected by the local farmers. The Secretary of Agriculture determines the amount of total ASCS funds allocated to each state.⁴⁸ The state committee then distributes the money to the county committee.⁴⁹ The county committee has the power to approve conservation practices as long as they observe the list of approved practices which have been determined by the Secretary of Agriculture.⁵⁰ Presently, the emphasis is on the attainment of the most enduring conservation gains.⁵¹

Participation in ASCS programs is entirely voluntary, and the landowner must approach the ASC county committee to participate.⁵² The landowner must complete an application which sets out his proposal.⁵³ The county committee first determines whether the land meets eligibility requirements. Next, a determination is made by the county committee to approve or disapprove the conservation practice. Their decision is based on the county's allocation of funds, the conservation and environmental practices in the county, the type of land involved, and which conservation practices the county committee has determined are the most critical.⁵⁴

Once an application has been accepted and the conservation practice approved, the Soil Conservation Service (SCS) provides technical assistance in formulating and carrying out a long-term plan.⁵⁵ This technical assistance is not necessary if the approved practice is only annual because no plan is required.⁵⁶ After a conservation practice has been completed the landowner certifies to the county office that SCS specifications have been met and the Federal government then reimburses the participant for fifty to eight per cent of the conservation practice's expense.⁵⁷

If the landowner's conservation practice is not approved or payment later

44. 7 C.F.R. § 701.46 (1985).

45. 7 C.F.R. § 701.51 (1985).

46. 7 C.F.R. § 701.46 (1985).

47. *Id.*

48. 7 C.F.R. § 701.4 (1985).

49. 7 C.F.R. § 701.5 (1985).

50. 7 C.F.R. § 701.15 (1985).

51. 7 C.F.R. § 701.9 (1985).

52. 7 C.F.R. § 701.15 (1985).

53. C.R.S. REP. NO. 144 S, *supra* note 3, at 19.

54. 7 C.F.R. § 701.15 (1985).

55. C.R.S. REP. NO. 144 S, *supra*, note 3, at 19.

56. *Id.*

57. *Id.*

denied, an appeal process is available.⁵⁸ The landowner first applies for reconsideration within fifteen days of the written notice of determination of denial.⁵⁹ If the party is dissatisfied with the results of the reconsideration a review may be obtained by the State Committee or the Deputy Administrator.⁶⁰ At this point, the participant or applicant may request an informal hearing by the reviewing authority.⁶¹

ANALYSIS

The above discussion has been provided partially as a backdrop to understanding the present criticisms of the ASCS system. This section will discuss, and suggest solutions for, the problems existing in the ASCS: namely, the failure to target funds to the most highly eroding lands; the lack of cross-compliance due to the voluntary nature of conservation programs; and the failure of the USDA to implement existing conservation measures that have been available since 1981.

One of the major criticisms leveled at the ASCS's efforts is that cost-sharing conservation practices are implemented on land where erosion rates are low.⁶² While the SCS has determined that soil can erode at five tons per acres without affecting long-term productivity, non-cultivated cropland is eroding at over seven tons per acre and cultivated cropland at 8.1 tons per acre.⁶³ Yet, according to a 1980 Department of Agriculture report, more than fifty-two per cent of the conservation practices were implemented on lands eroding at less than five tons per acre annually.⁶⁴

The present distribution of funds is not effective or efficient. Funds are distributed at similar levels around the country through the county committees. The committees have a fixed amount of money to spend each year and these expenditures are not dependent on whether the land is eroding at one ton per acre or twenty tons per acre.⁶⁵ If these funds were instead targeted at highly erosive lands, it is estimated that the amount of soil saved could be tripled.⁶⁶ While it may necessitate removing some control from the county committees, targeting these funds to highly erodible land would likely slow down the erosion rate. Logically, counties that do not have serious erosion problems should not receive as much cost sharing funds as counties with serious erosion problems. Instead the money should be channeled to areas that are the most in need. The targeting would change the tradition of distributing funds at similar levels around the country and also change the tradition of

58. 7 C.F.R. §§ 780.1-780.12 (1985).

59. 7 C.F.R. §§ 780.3 and 780.6 (1985).

60. 7 C.F.R. §§ 780.4 and 780.5 (1985).

61. 7 C.F.R. § 780.7 (1985).

62. 1980 APPRAISAL PART II, *supra* note 4, at 3-4.

63. C.R.S. REP. NO. 780 ENR, *supra* note 2, at 8.

64. 1980 APPRAISAL PART II, *supra* note 4, at 3-4.

65. AGRICULTURAL LAW, *supra* note 8, at 775 (quoting K. Cook, *Problems and Prospects for Agricultural Conservation Program*, 36 J. SOIL AND WATER CONS. 1, 24-27 (1981)).

66. 1980 APPRAISAL PART II, *supra* note 2, at 4.

allowing each county committee to make their own determination as to which practice is the most appropriate. While targeting would still allow the county committee to determine priorities in their locations, a clear message would be sent that funds are available only for highly erodible land.⁶⁷

While it seems obvious that targeting funds at highly erosive lands is beneficial, the major problem lies in how to provide funding.⁶⁸ Members of Congress who represent areas that have less severe problems and may face resource cuts believe that targeting should be achieved through additional funds.⁶⁹ The USDA has so far used targeting to shift funds and staff rather than increase overall funding.⁷⁰ Obviously, with shifting of present funds some areas lose while others gain. Ideally, targeting would be achieved by increased funding. That does not, however, alleviate the problem of inefficient use of present funds. While the conservation programs objectives are laudable, the present system of administration is inefficient and ineffective. Congress should reallocate funds that are not aimed at correcting serious erosion problems. Specifically, funds should be reallocated away from areas where erosion occurs at less than five tons per acre annually.

A second problem facing the ASCS is that conservation programs are still tied to productivity rather than conservation. The period during World War II, and the increased export market era of the 1970's, caused many farmers to plant "fence row to fence row."⁷¹ As a result, more marginal cropland was put into production.⁷² Farmers tend to postpone conservation measures until productivity declines significantly.⁷³ At that point in time, the producer seeks government funding to aid in implementing conservation programs that will increase his productivity. The voluntary nature of the conservation program increases the pressure on the county committees to support such production oriented measures. Available funds need to be distributed, and the committee waits to be approached by those who seek them.⁷⁴

These production oriented practices are short term measures that continually need to be repeated as the conservation improved land is put back into production when markets increase. This leads to short-sighted planning with dubious benefits. It may be necessary to rule out annual payments and concentrate on long-term agreements with possible penalties for non-compliance. The concentration should be on retiring marginal cropland, not keeping it productive. If conservation measures are tied to productivity they can be financed

67. There is criticism, however, of using T-value erosion statistics. Using tons of soil lost may not be an effective way to protect yields or sustain productivity. Productivity for some soils declines rapidly with little erosion while others can lose large quantities of erosion with little reduction in productivity. C.R.S. REP. NO. 780 ENR, *supra* note 19, at 7-8.

68. C.R.S. REP. NO. 780 ENR, *supra* note 2, at 5-6.

69. *Id.*

70. C.R.S. REP. NO. 781 ENR, *supra* note 2, at 6.

71. Williams, *supra* note 1, at 398; AGRICULTURAL LAW, *supra* note 8, at 774 (citing SOIL CONSERVATION POLICIES, INSTITUTIONS AND INCENTIVES 25-29 (H. HALCROW, E. HEADY & M. COTNER. EDS. 1982)); C.R.S. REP. NO. 144 S, *supra* note 3, at 34.

72. 1980 APPRAISAL PART II, *supra* note 4, at 13.

73. *Id.*

74. C.R.S. REP. NO. 144 S, *supra* note 3, at 36.

by the landowner from the resultant increase in profits due to his increased productivity. Stop-gap measures are not effective for any industry's long-term outlook and conservation is no exception.

One suggestion for discouraging or eliminating production oriented conservation measures is to restructure the voluntary nature of conservation programs.⁷⁵ Many critics of the voluntary approach have suggested cross-compliance as a means of improving conservation practices.⁷⁶ At present there is little incentive, other than increasing productivity, for the farmer to institute conservation measures. Cross-compliance with other USDA programs would achieve longer lasting conservation benefits. For example, requiring participation in a long-term conservation practice in order to participate in commodity programs results in benefits to both the farmer and the government in its attempt to assure adequate future resources. Besides reducing production induced conservation measures, cross-compliance could assist in combatting the problem of non-point source pollution. Currently, there is little incentive for farmers to reduce off-site damage.⁷⁷

It may well be that economic pressure, as well as political pressure, will force some action by Congress to put mandatory regulations on farmers to control off-site water pollution. There is an inherent problem with a system that allows a farmer to reap the benefits of government price supports and conservation cost-share programs, but does not require him to use appropriate measures to reduce a problem that the government spends millions of dollars on each year. The damage caused by non-point source pollution from farmers is serious,⁷⁸ and cross-compliance is a way to avoid mandatory federal regulation. Farmers would still have control over their land, but in order to gain the benefit of federal money, certain conditions would have to be met. For example, conservation money, even if productivity is involved, would not be available unless certain requirements of the Environmental Protection Agency (EPA) were also complied with. This would help to reduce the non-point source pollution as well as establish enduring conservation benefits.

While targeting funds and implementing cross-compliance measures would aid in protecting cropland and other natural resources, it may be completely pointless in the face of the government's inaction in implementing the laws that have already been passed. Congress passed the Agriculture and Food Act of 1981⁷⁹ with five major initiatives: to establish a special area conservation program; to provide matching grants to local governments for solid and water conservation; to provide funds to governments and private groups to develop land conservation, water management and community develop-

75. AGRICULTURAL LAW, *supra* note 8, at 778; C.R.S. REP. NO. 780 ENR, *supra* note 2, at 12; C.R.S. REP. NO. 144 S, *supra* note 3, at 46.

76. *Id.*

77. While the Experimental Rural Clean Water Program is aimed at non-point source pollution it is both experimental and *voluntary*.

78. Estimates range from \$2 billion to \$6 billion annually. C.R.S. REP. NO. 780 ENR, *supra* note 2, at 12.

79. Pub. L. No. 97-98, 95 Stat. 1213 (1981) (current version at 7 U.S.C. § 1281 (1985)).

ment plans; to provide payments for lands removed from production for conservation purposes; and to require the Department of Agriculture to implement a program calling on Federal agencies to consider any negative effects their actions would have on farmland conversion.⁸⁰ The USDA has only implemented the last of these initiatives by publishing rules for the Farmland Protection Act⁸¹ requiring Federal agencies to consider the negative effects of their activities on farmland conversion. The other provisions, however, have not been enacted. Congress rejected USDA's one attempt to implement the matching grant program.⁸²

Thus, based on previous inaction, there is reason for concern since the same administration will control future implementation of conservation laws. Congress, at least, has been willing to increase the USDA budget proposals for conservation.⁸³ It is not a promising situation when delays of three or four years occur in the implementation of existing laws. Whether the delay is due to inaction on the part of the USDA or increased defense budgetary concerns of Congress, future laws must consider written provisions ensuring that the USDA act once the bill is enacted.

CONCLUSION

Conservation efforts need to be targeted to the most highly erosive land and cross-compliance is necessary to ensure that conservation practices partially paid for by the government actually produce enduring conservation benefits. The present system of cost-sharing is both inefficient when it channels funds to lands eroding at less than T-value, and ineffective when it allows short-sighted conservation practices that produce short-term results which must continually be repeated.

Changing the laws to require targeting and reducing the ineffectiveness of the voluntary system with cross-compliance will only be successful if the laws also require action on the part of the USDA. Ideally, the laws will be aimed at long-term benefits which recognize that conservation problems are immediate, yet, also recognize that solutions must be oriented to the future.

If the funding cannot be increased, then the present system must be reallocated to produce the most enduring benefits in the future. ASCS must produce results that actually meet the long-term objectives of its conservation programs. At present, that is not being accomplished. It is possible if the

80. C.R.S. REP. NO. 781 ENR, *supra* note 34, at 7-8.
 81. Pub. L. No. 97-98, 95 Stat. 1342 (1981) (current version at 7 U.S.C. § 4202 (1985)).
 82. C.R.S. REP. NO. 781 ENR, *supra* note 34, at 8.
 83.

<u>Year</u>	<u>Admin. Proposal</u>	<u>Actual Appropriation</u>
FY 83	\$735 million	\$964 million
FY 84	\$694 million	\$973 million
FY 85	\$725 million	\$987 million

C.R.S. No. 780 ENR, *supra* note 2, at 5 (from an estimate made by U.S. Dep't of Agric., Soil Conservation Service).

ASCS assumes the responsibility for making sure that the funds which are now available are used in the most effective manner possible. Effectiveness is contingent upon targeting funds to highly erosive land, requiring cross-compliance to assure long term benefits and, above all, providing measures to ensure that once legislation is passed the USDA take action.

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